

Appendix E Commercial Site Applications and Forms



Commercial Entrance Application Checklist

- ☐ Application for Commercial Entrance Permit
- ☐ Verification of property ownership
- ☐ Power of Attorney form (notarized)
- ☐ Construction drawings approved by the DelDOT Subdivisions Engineer
- ☐ Itemized Construction Cost Estimate
- ☐ Security (check type below)
 - ☐ Letter of Credit
 - ☐ Surety Bond
 - ☐ Certified Check
- ☐ Commercial Entrance Construction Permit

**DELAWARE DEPARTMENT OF TRANSPORTATION
APPLICATION FOR COMMERCIAL ENTRANCE PERMIT**

Property Owners Name : _____ Date: _____

Mailing Address: _____

_____, _____, _____
City State Zip Code

Telephone No.: (_____) _____ Cell No.: (_____) _____

Fax No.: (_____) _____ E-mail Address: _____

Tax Map I.D. No.: _____

applicant Name: _____

Mailing Address: _____

_____, _____, _____
City State Zip Code

Telephone No.: (_____) _____ Cell No.: (_____) _____

Fax No.: (_____) _____ E-mail Address: _____

Proposed/Existing entrance location (Mailing Address, Road Name, or Road Number): _____

Nearest intersecting road (Name): _____

Distance from entrance to nearest intersecting road: _____

Date when you will place stakes at entrance: _____ (mm/dd/yy)

*applicant shall place wooden stakes on both sides of proposed entrance location. Name of Property Owner must be written on the stakes. If stakes are not in place, a permit will **NOT** be issued.*

Are you requesting a permit for an existing entrance or a proposed entrance? Existing or Proposed
(Circle one)

If applying for a permit for existing entrance:

* Will you be modifying or relocating the existing entrance? Yes _____ No _____

If yes (explain): _____

* Was the existing entrance constructed within the past three years? Yes _____ No _____

Describe modifications you are proposing on the property (*building additions, new building construction, parking lot modifications, etc.*):

**DELAWARE DEPARTMENT OF TRANSPORTATION
APPLICATION FOR COMMERCIAL ENTRANCE PERMIT**

Prior use of property (describe the type of business previously operating on the Property):

Proposed use of property (describe the type of business operation proposed on the Property):

Present square footage of each building (facility): _____

Proposed square footage of each building (facility): _____

Existing Zoning: _____

Proposed Zoning: _____

Off street parking as required by local code:

Spaces required _____ Spaces Provided _____

Federal Tax I.D. No. : _____

(For Escrow Deposits ONLY)

Address to District Public Works Engineer in appropriate District as follows:

New Castle County (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	Kent County (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	Sussex County (DelDOT South District) Public Works Engineer P.O. Box 490 Georgetown, DE 19947
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POWER OF ATTORNEY

KNOW ALL PERSONS by These Presents that _____ (Property Owner)
whose address is _____
a corporation/partnership duly organized under the laws of the State of _____,
has made, constitute and appoint _____, whose address
and telephone number is: _____

Phone Number: (____) _____

to represent the aforesaid corporation/partnership before the State of Delaware for the purpose of
obtaining the requisite permit and security for the establishment and construction of access to a State
maintained highway to serve the following Land Development Project:

located at _____

This Power of Attorney and the authority granted herein hereby binds the undersigned to perform as
agreed upon by its agent, named herein, and shall continue to be in full force and effect until such time as
the aforesaid entrance/access has been completed and accepted by representatives of the State of
Delaware at which time the monetary security required hereby shall be released.

BY: _____
(Signature)

TITLE: _____

Sworn and subscribed before me this ____ day of _____, 20____

Notary Public Signature _____

**SAMPLE LETTER OF CREDIT
FOR
COMMERCIAL ENTRANCE CONSTRUCTION**

Bank Letterhead

Address to District Permit Supervisor in appropriate District as follows:

New Castle County (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	Kent County (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	Sussex County (DelDOT South District) Public Works Engineer P.O. Box 490 Georgetown, DE 19947
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RE: Irrevocable Commercial Letter of Credit No. _____

_____ (name of Development)
in _____ County.

Dear Sir or Madam:

We hereby establish our Irrevocable Commercial Letter of Credit in favor of the State of Delaware, Department of Transportation as beneficiary at the request of and for an account of _____ (applicant),
for an amount or amounts not to exceed _____
(\$ _____).

This Letter of Credit is subject to the following terms and conditions:

Effective Date: _____

This credit is to be available by sight draft being presented to _____ (Name of Bank)
at its main office at _____ (Address).

All drafts so drawn must bear the clause "Drawn Under" and the following information: Bank Name, Letter of Credit Number, and date.

The sight draft must be signed by the Director of the Division of Maintenance and Operations stating that
" _____ (applicant) has failed to perform construction of the site entrance,

in accordance with the entrance construction permit and the irrevocable Letter of Credit in favor of the State of Delaware, Department of Transportation, pertaining thereto. Demand is hereby made in the amount of the enclosed draft.”

This Letter of Credit will expire on _____. The bank agrees to notify the State thirty (30) calendar days prior to expiration to permit a request for an extension or to permit the State to draw thereon. Bank agrees that such notice will be sent by registered mail to the appropriate Public Works Engineer as indicated in the table below and shall contain the Development name, applicant name, and County where the property is located.

New Castle County (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	Kent County (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	Sussex County (DelDOT South District) Public Works Engineer P.O. Box 490 Georgetown, DE 19947
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Bank agrees that such notice would be effective only if it is sent by registered mail. In the event such notice is not given, this Letter of Credit shall automatically renew until such notice is received. It shall then expire (60) sixty calendar days from the receipt of such notice. This credit will automatically terminate as of the date the State of Delaware, Department of Transportation, notifies Bank that it has accepted the entrance and exit appurtenances.

Except as otherwise stated herein, no modification or revocations may be made by the undersigned to the irrevocable credit created hereby, without the express written approval of the Public Works Engineer, Delaware Department of Transportation.

All bank charges connected with this Letter of Credit are for the account of the applicant.

This Letter of Credit is neither negotiable nor assignable.

Very Truly Yours,

(Signature)

(Printed Name)

SURETY AGREEMENT
FOR
COMMERCIAL ENTRANCE CONSTRUCTION

KNOW ALL PERSONS BY These Presents that: _____ (applicant) whose address is _____ hereinafter called "Developer" and _____ as surety legally authorized to do business in Delaware, whose address is _____ hereinafter called "Surety" are held firmly bound unto the State of Delaware in the sum of _____ (\$ _____) (said sum being 100 percent of the total price agreed upon by DelDOT and the Developer for the construction of the entrance and exit appurtenances as set forth in this Agreement), to be paid to the State of Delaware for the use and benefit of DelDOT if the Developer fails to meet the conditions of this obligation.

SEALED with our seals and dated this _____ day of _____, _____.

NOW THE CONDITIONS OF THIS OBLIGATION ARE SUCH that if the Developer, who is responsible for the construction of the entrance and exit appurtenances set forth in this Agreement for the property known as _____, fails to construct such entrance and exit appurtenances in accordance with the provisions of the fully executed permit for entrance construction, as determined by DelDOT, the bond shall be forfeited in favor of the State of Delaware. Bond forfeiture shall occur within sixty (60) days of receipt of written notification by DelDOT. Should the Developer complete all construction in accordance with the aforesaid permit, then this obligation shall be void and of no effect, or else shall be and remain in full force and virtue until such entrance and exit appurtenances are accepted by DelDOT.

EXECUTED by the parties hereto the day and year first herein written.

For Surety Company:

Attest:

(Signature)

(Typed Name)

(Position Title)

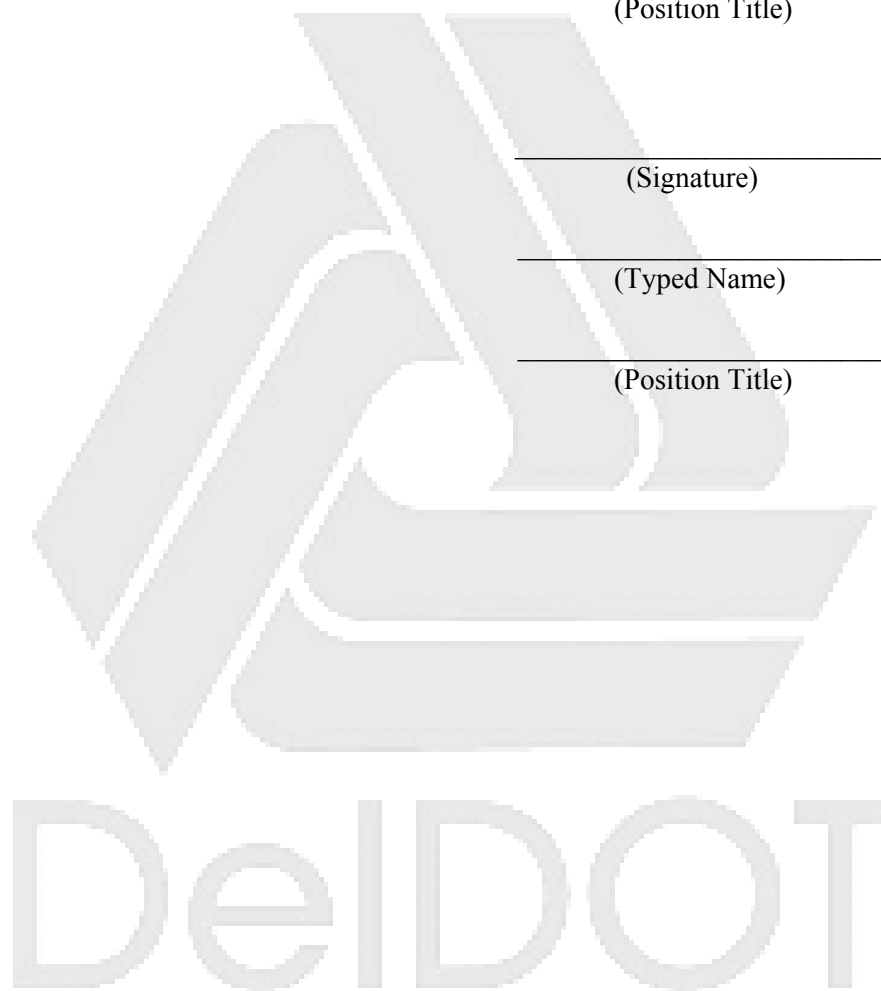
For Developer:

Attest: Secretary

(Signature)

(Typed Name)

(Position Title)



**ESCROW AGREEMENT
FOR
COMMERCIAL ENTRANCE CONSTRUCTION**

KNOW ALL PERSONS by These Presents that: _____ (Property Owner)
whose address is _____
and whose Employer Federal Identification Number is _____,
hereinafter call "Developer" having furnished DelDOT a certified check
in the amount of _____ (\$ _____)
(said sum being 100 percent of the total price agreed upon by DelDOT and the Developer for the
construction of the entrance and exit appurtenances as set forth in this Agreement), to be deposited into
DelDOT's Escrow Account, does hereby relinquish said amount to the State of Delaware for the use and
benefit of DelDOT, to which payment will and truly be made we bind ourselves, our successors and
assigns, firmly by these presents.

SEALED with our seals and dated this _____ day of _____, _____.

NOW THE CONDITIONS OF THIS OBLIGATION are such that if the Developer, who is responsible
for the construction of the entrance and exit appurtenances set forth in this Agreement for the property
known as _____,
fails to construct such entrance and exit appurtenances in accordance with the provisions of the fully
executed permit for entrance construction, as determined by DelDOT, the funds shall be forfeited in favor
of the State of Delaware. Forfeiture shall occur within sixty (60) days of receipt of written notification by
DelDOT. Should the Developer complete all construction in accordance with the aforesaid permit, then
this obligation shall be void and of no effect, or else shall be and remain in full force and virtue until such
entrance and exit appurtenances are accepted by DelDOT. Upon completion of all work to the
satisfaction of DelDOT the funds held in escrow shall be released by DelDOT.

EXECUTED by the parties hereto the day and year first herein written.

DelDOT Standards and Regulations for Subdivision Streets and State Highway Access

Attest: Secretary

(Signature)

(Typed Name)

(Position Title)

Attest: Owner/Developer

(Signature)

(Typed Name)

(Position Title)

Sworn and subscribed before me this ____ day of _____, 20____

Notary Public Signature _____

DelDOT

COMMERCIAL ENTRANCE CONSTRUCTION PERMIT

District: _____ Phone No. (302) _____

Issued To: _____

Business Name: _____

Approved for an estimated volume of traffic of _____ Average Daily Traffic (ADT)

Location: _____

On _____ an inspection of the above entrance was made and the entrance was found to be in compliance with the Delaware Department of Transportation (DelDOT) specifications, traffic and safety standards, and according to plans approved by _____

Should this property be sold, or the size or type of the business be changed to which there is an increase in volume of traffic, the entrance will require a review by the appropriate District Permit Office as indicated in table below. At such a time a design change may be required, or a new permit will be issued accordingly.

New Castle County (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	Kent County (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	Sussex County (DelDOT South District) Public Works Engineer P.O. Box 490 Georgetown, DE 19947
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By copy of this letter the 100% security offered to DelDOT to guarantee the construction of this entrance is hereby released.

- ☐ Security Bond
- ☐ Irrevocable Commercial Letter of Credit
- ☐ Certified Check
- ☐ None Required

Date Approved: _____ Approved By: _____
Public Works Engineer